

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1-6, 8-15, and 17-22 are pending after entry of the present Amendment. The amendments do not introduce new subject matter.

Rejections under 35 U.S.C. § 102:

Claims 1, 4, and 5 are rejected 35 U.S.C. 102(a) as being anticipated by United States Patent No. 6,298,354 to Saulpaugh et al. (Saulpaugh). It is respectfully submitted that Saulpaugh fails to disclose each and every element of the claimed invention, as defined in independent claim 1.

Although the Applicant believes that the original pending claim is defined over Saulpaugh, the Applicant has amended original independent claim 1 to further define that a portion of the configuration information is provided to a Universal Serial Bus (USB) device. Moreover, the Examiner noted that Saulpaugh does not disclose configuring a USB device. As a result, Saulpaugh does not teach each and every element in the independent claim 1. Therefore, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. 102(a) rejection. Further, dependent claims 4 and 5 each of which directly depends from amended independent claim 1 are submitted to be patentable under 35 U.S.C. 102(a) over Saulpaugh for the reasons set forth above.

Rejections under 35 U.S.C. § 103:

Claims 2, 6, 14, 15, 18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saulpaugh in view of Applicant's submitted prior art "JAVA API for USB (javax.usb)". Although the Applicant believes that the original pending claims are patentable over Saulpaugh in view of Applicant's submitted prior art "JAVA API for USB (javax.usb)",

the Applicant has amended original independent claims 6, 14, and 18 to further define that at least a portion of the configuration information is stored in at least one of an internal memory and an external memory of the USB.

Moreover, Saulpaugh provides a mechanism for storing an object oriented configuration database. In Saulpaugh, an intermediate form of an object-oriented database is transformed into an active-object oriented database. As can be seen, the system, and method of Saulpaugh are applicable only to an object-oriented database. (Column 10, lines 1-2). Additionally, in support of the 35 U.S.C. § 103(a) rejection, the Examiner noted that Saulpaugh teaches accessing a data file and receiving data and an associated destination address from the data file. Applicant respectfully traverses the Examiner's characterization of Saulpaugh relative to amended independent claims 6, 14, and 18 because portions of the reference relied upon by the Examiner (Column 10, lines 1-19) do not teach a platform independent way of configuring a USB device. In particular, the section referred by the Examiner in Saulpaugh, merely teaches an object-oriented configuration database known as Java System Database (JSD). The JSD is a database that is used to store and access configuration information.

In contrast, in the claimed invention at least a portion of the configuration information is stored in the internal or external memory of a USB device through a platform-independent interface, by using the destination address received from the data file.

It is further submitted that even if Saulpaugh was modified to include a USB device, one of ordinary skilled in the art would not have arrived at the claimed invention as the combination fails to teach storing the data at the internal or external memory of the USB devices through a platform-independent interface. With regards to claim 14, Saulpaugh does not teach the platform-independent routine which causes the control unit to receive configuration information. In short, JAVA API for USB (javax.usb) does not cure any of

the deficiencies of Saulpaugh as pointed out above. Accordingly, rejections of claim 6, 14, and 18 should be withdrawn. Accordingly, for at least the above-stated reasons, Applicant submits that dependent claims 2, 15, and 19-21 are patentable under 35 U.S.C. § 103(a).

Allowable Subject Matter

The Examiner noted that claims 3, 7-13, 16 and 17 would be allowable if rewritten in independent form including all of the limitations of the base claims. Accordingly, in order to place the objected to claims in condition for allowance, Applicant has amended independent claim 6 to incorporate the allowable subject matter of claim 7, independent claim 14 to incorporate the features of claim 16, and independent claim 18 to incorporate features of the claim 7.

Conclusion

In view of the foregoing, the Applicant respectfully submits that all the pending claims 1-6, 8-15, 18-21, and 22 are in condition for allowance. The Applicant has added new claim 22 incorporating allowable subject matter of claim 3, with claim 1 and 2. Therefore, the new claim 22 is allowable at least for the reasons set forth above. Accordingly, a Notice of allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6900, ext. 6926. If any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP607). A duplicate copy of the transmittal is enclosed for this purpose.

Appl. No. 09/981,137
Amdt dated September 7, 2004
Reply to Office action of June 7, 2004

Respectfully submitted,
MARTINE & PENILLA, LLP

A handwritten signature in cursive script that reads "Jaya Nair". The signature is written in black ink and is positioned above the printed name and title.

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